

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATIONS

PATENT

Docket No. : 39428/NEC/Y54

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR HIGH PRECISION VARIABLE RATE MATERIAL, the specification of which is attached hereto unless the following is checked:

\_\_\_ was filed on \_\_\_ as United States Application Number or PCT International Application Number \_\_\_ and was amended on \_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 366(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
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60/050,416	June 4, 1997
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
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09/054,834	April 3, 1998	Pending
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**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application:

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATIONS

Docket No. 39428/NEC/Y54

or from the first or sole inventor named below in the event the application is not assigned; or from \_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

R. W. Johnston	(17,968)	Wesley W. Monroe	(39,778)	Mark Marcia	(31,953)
D. Bruce Prout	(20,968)	Gregory S. Lampert	(35,581)	Gary J. Nelson	(44,257)
Hayden A. Carney	(22,653)	Grant T. Langton	(39,739)	Raymond R. Tabandeh	(43,945)
Richard J. Ward, Jr.	(24,187)	Constantine Marantidis	(39,759)	Phuom - Quan Hoang	(41,839)
Russell R. Palmer, Jr.	(22,994)	Marilyn R. Khorsandi	(45,744)	Kathy Mojibi	(41,409)
LeRoy T. Rahn	(20,356)	Daniel R. Kimbell	(34,849)	Cynthia A. Bonner	(44,648)
Richard D. Seibel	(22,134)	Craig A. Gelfound	(41,032)	Jun-Yeung E. Jeon	(43,693)
Walter G. Maxwell	(25,355)	Syed A. Hasan	(41,057)	Marc A. Karish	(44,816)
William P. Christie	(29,371)	Kathleen M. Oister	(42,052)	John F. O'Rourke	(38,985)
David A. Dillard	(30,831)	Daniel M. Cavanagh	(41,661)	Richard J. Paciulan	(28,248)
Thomas J. Daly	(32,213)	Molly A. Holman	(40,022)	Josephine E. Chang	(46,083)
Vincent G. Gioia	(19,959)	Lucinda G. Auciello	(42,270)	Frank L. Cire	(42,419)
Edward R. Schwartz	(31,135)	Norman E. Carte	(30,455)	Harold E. Wurst	(22,183)
John D. Carpenter	(34,133)	Joel A. Kauth	(41,886)	Robert A. Green	(28,301)
David A. Plumley	(37,208)	Patrick Y. Ikehara	(42,681)	Derrick W. Reed	(40,138)

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO :** Norman E. Carte, 626/795-8900

**SEND CORRESPONDENCE TO :** CHRISTIE, PARKER & HALE, LLP  
P.O. Box 7068, Pasadena, CA 91109-7368

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Joseph Neev	Inventor's signature <i>Joseph Neev</i>	Date 7/21/00
Residence and Post Office Address 20321 Lake Forest Drive, Suite D7, Lake Forest, California 92630		Citizenship U.S.A.

Full name of second joint inventor	Inventor's signature	Date
Residence and Post Office Address		Citizenship

Full name of third joint inventor	Inventor's signature	Date
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Docket No. : 33049/NEC/Y54

CHRISTIE PARKER &amp; HALE, LLP

Applicant or Patentee : Joseph Neev

Post Office Box 7068

Application or Patent No. : Not Yet Assigned

Pasadena, CA 91109-7068

Filed or Issued : Not Applicable

(626) 795-9900

Entitled : METHOD AND APPARATUS FOR HIGH PRECISION VARIABLE  
RATE MATERIAL REMOVAL AND MODIFICATION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR § 1.9(f) and § 1.27(b))**  
**INDEPENDENT INVENTOR**

As a below-named inventor, I declare that I qualify as an independent inventor as defined in 37 CFR § 1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **METHOD AND APPARATUS FOR HIGH PRECISION VARIABLE RATE MATERIAL REMOVAL AND MODIFICATION** described in

  X   the specification filed herewith.

Application No.        filed       

Patent No.        issued       

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

  X   No such person, concern or organization.

       Persons, concerns or organizations listed below. (NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. 37 CFR § 1.27)

NAME :  
ADDRESS :

       INDIVIDUAL        SMALL BUSINESS CONCERN        NONPROFIT ORGANIZATION

NAME :  
ADDRESS :

       INDIVIDUAL        SMALL BUSINESS CONCERN        NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b))

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR § 1.9(f) and § 1.27(b))**  
**INDEPENDENT INVENTOR**

**Docket No.: 33049/NEC/Y54**

(37 CFR § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**Jospeh Neev**  
**Name of Inventor**

**Signature**

Date \_\_\_\_\_

Name of Inventor

**Signature**

**De te**

Name of Inventor

### Signature

De le

Name of Inventor

**Signature**

Date \_\_\_\_\_

**NEC/dmm**